

HOUSE BILL NO. 271

INTRODUCED BY J. JAYNE, BIXBY, CHRISTIAENS, COCCHIARELLA, ERICKSON, FORRESTER, GOLIE,
HALLIGAN, JACOBSON, JUNEAU, MANGAN, PEASE, RASER, ROUSH

BY REQUEST OF THE ATTORNEY GENERAL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN PROVISIONS OF THE STATE-TRIBAL
COOPERATIVE AGREEMENTS ACT; EXTENDING THE TIME IN WHICH STATE-TRIBAL COOPERATIVE
AGREEMENTS MUST BE FILED FROM 10 DAYS TO ~~45~~ 60 DAYS; ~~CLARIFYING THAT THE FAILURE TO~~
~~FILE AN AGREEMENT IN THE TIME SPECIFIED DOES NOT AFFECT THE VALIDITY OF THE AGREEMENT;~~
ELIMINATING OUTDATED PROVISIONS REGARDING VALIDITY OF EXISTING AGREEMENTS; AMENDING
SECTION 18-11-107, MCA; REPEALING SECTION 18-11-111, MCA; AND PROVIDING AN IMMEDIATE
EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 18-11-107, MCA, is amended to read:

"18-11-107. Filing of agreement. (1) Within ~~10-45~~ 60 days after approval by the attorney general
and signature of the parties, an agreement made pursuant to this chapter must be filed with:

(a) the ~~area~~ regional office of the bureau of Indian affairs of the United States department of the
interior having trust responsibility for the tribe that is party to the agreement or its successor agency;

(b) each county clerk and recorder of each county where the principal office of one of the parties
to the agreement is located, except as provided in (2) of this section;

(c) the secretary of state; and

(d) the affected tribal government.

(2) If a party to the agreement is a state agency, the agreement need not be filed with the county
clerk and recorder for Lewis and Clark County.

~~—— (3) Failure to file the agreement within the time specified in subsection (1) does not affect the
validity of the agreement."~~

NEW SECTION. **Section 2. Repealer.** Section 18-11-111, MCA, is repealed.

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2 NEW SECTION. **Section 3. Notification to tribal governments.** The secretary of state shall send
3 a copy of [this act] to each tribal government located on the seven Montana reservations.

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5 NEW SECTION. **Section 4. Effective date -- applicability.** [This act] is effective on passage and
6 approval and applies to agreements entered into on or after [the effective date of this act].

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